

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:13-CR-00116-1H

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 DARRYL TERRY :

**PRELIMINARY ORDER OF FORFEITURE**

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, Darryl Terry, on April 8, 2014 to violations of 18 U.S.C. §§ 922(g) and 924, and further evidence of record and as presented by the Government, the Court finds that the following personal property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), to wit: a Ruger, Model SR9C, 9mm semi-automatic handgun, Serial Number 332-8105; and

WHEREAS, by virtue of said finding, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant DARRYL TERRY, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance

with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

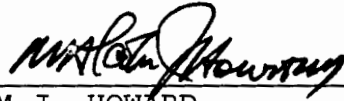
3. That pursuant to 21 U.S.C. § 853(n), the United States shall send notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property, must file a petition with the Court within 30 days of receipt of actual notice.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(c)(2).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED. This 1st day of July 2014.

A handwritten signature in black ink, appearing to read "MALCOLM J. HOWARD", written over a horizontal line.

MALCOLM J. HOWARD  
Senior United States District Judge